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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

COLT INTERNATIONAL
CLOTHING INC.,

Plaintiff,

vs.

QUASAR SCIENCE, LLC, et al.,
Defendants.

Case No. 2:16-CV-03040 AB (JEMx)

**PARTIES' JOINT REPORT
REGARDING STATUS OF
PENDING REEXAMINATION
PROCEEDINGS**

**Next Joint Report Due:
August 27, 2019**

AND COUNTERCLAIMS

Pursuant to the Court's April 29, 2019 Order, Plaintiff Colt International Clothing, Inc. ("Plaintiff" or "Colt"), on the one hand, and Defendants Quasar Science LLC ("Quasar") and Cinelease, Inc. ("Cinelease," or, together with "Quasar," "Defendants"), on the other hand, hereby submit this joint report as to the status of the two pending reexamination proceedings before the United States Patent and Trademark Office ("the USPTO"), Reexamination Control Nos. 90/014,150 and 90/014,146.

I. The Parties' Joint Statement

A. Reexamination No. 90/014,150 (U.S. Patent No. 9,845,924)

In Reexamination No. 90/014,150 (regarding U.S. Patent No. 9,845,924), the USPTO issued a reexamination certificate on May 7, 2019, in which it stated (column 1, lines 15-23):

Claims 4, 5, 11, 17-19, 25, 31 and 37 are cancelled.

Claims 1, 8, 15, 16, 32 and 38 are determined to be patentable as amended.

Claims 2, 3, 6, 7, 9, 10, 12-14, 20-24, 26-30, 33-36, 39 and 40, dependent on an amended claim, are determined to be patentable.

New claims 41-49 are added and determined to be patentable.

Attached hereto as Exhibit 1 is a copy of the reexamination certificate. Reexamination No. 90/014,150, therefore, is now concluded.

B. Reexamination No. 90/014,146 (U.S. Patent No. 9,719,642)

In Reexamination No. 90/014,146 (regarding U.S. Patent No. 9,719,642), the USPTO entered on May 23, 2019 a Notice of Intent to Issue Reexamination Certificate, in which it stated (page 2):

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2 *Claims 1-19 are original and claims 20-58 are new claims added by*
3 *amendment.*

4 *Original claims 1, 15 and 16 are amended to incorporate the subject matter*
5 *indicated as allowable in the final office action of 3/27/2019.*

6 *Original claims 2, 5, 12, and 17-19 are cancelled.*

7 *New claims 20-30 and 40-48 are cancelled.*

8 *New claims 49 and 50 are amended and new claims 31-39 and 51-58 are*
9 *unamended.*

10 ***

11 *Claims 1, 3, 4, 6-11, 13-16, 31-39, and 49-58 are allowed.*

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13 Copies of the USPTO's statement on its Public Pair system that the patent
14 application is "In Publications for Issue of a Certificate" and of the above-referenced
15 Notice of Intent to Issue Reexamination Certificate are attached as Exhibits 2 & 3,
16 respectively.

17 As noted above, the reexamination certificate for the '924 Patent has already
18 been issued, and it is anticipated that the reexamination certificate for the '642 Patent
19 will be issued shortly. Shortly thereafter, the parties will meet and confer concerning
20 the effects of the outcomes of the reexaminations, if any, on the parties' positions in
21 this case, the overall scope of the case, as well as related case management issues.
22 The parties will endeavor to submit a Joint Report with their respective views
23 concerning such matters on or before August 29, 2019, unless the Court orders
24 otherwise. Should the reexamination certificate for the '642 Patent not be issued by
25 August 29, 2019, the parties will so report to the Court by that date.

1 Defendants expect to file these reexaminations within a few weeks of the
2 issuance of a Reexamination Certificate re: Patent No. 9,719,642.

3
4 Respectfully submitted,

5 By: /s/Kelly W. Cunningham
6 Kelly W. Cunningham, Esq.
7 Bar No. 186,229

By: /s/Michael M. Baranov
Michael M. Baranov, Esq.
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15 Date: June 18, 2019

Date: June 18, 2019

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PROOF OF SERVICE

On Tuesday, June 18, 2019, I served the foregoing document, entitled,

**PARTIES' JOINT REPORT REGARDING STATUS OF
PENDING REEXAMINATION PROCEEDINGS**

to be sent by ECF electronic mail to the following:

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I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on Tuesday, June 18, 2019, at Los Angeles, California.

/s/Christopher Eckart
Christopher Eckart

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